

MONDAY, APRIL 25, 1988

EIGHTY-SEVENTH LEGISLATIVE DAY

The House met at 4.00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Eugene Peden, Washington Street Church of Christ, Fayetteville, Tennessee, guest of Representative Pete Phillips.

Representative Pete Phillips led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 94

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frenslø, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

The Speaker announced that Representative Williams was excused because of a prior speaking engagement.

The Speaker announced that Representative Jackson was excused because of unforeseen circumstances.

The Speaker announced that Representative May was excused because of problems at the airport.

REGULAR CALENDAR

\* House Bill No. 2399 -- Mental Illness -- Changes requirements for notice of discharge and standing to appeal discharge for involuntary commitments. Amends TCA, Title 33, Ch. 6.

On motion, House Bill No. 2399 was made to conform with Senate Bill No. 1735.

On motion, Senate Bill No. 1735, on same subject, was substituted for House Bill No. 2399.

Rep. Tanner moved passage of Senate Bill No. 1735 on third and final consideration, which motion prevailed by the following vote:

|               |    |
|---------------|----|
| Ayes. . . . . | 93 |
| Noes. . . . . | 0  |

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 2286 -- Teenage Pregnancy --** Revises program of technical assistance for school based day care centers. Amends TCA, Title 49, Ch. 1.

Rep. DeBerry moved that House Bill No. 2286 be passed on third and final consideration, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 90 |
| Noes. ....                   | 0  |
| Present and not voting. .... | 2  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 90.

Representatives present and not voting were: Stafford, Yelton -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 2338 -- Teenage Pregnancy --** Establishes system of competitive grants to support development of community based teen pregnancy programs. Amends TCA 37-3-108.

On motion, House Bill No. 2338 was made to conform with Senate Bill No. 2407.

On motion, **Senate Bill No. 2407**, on same subject, was substituted for House Bill No. 2338.

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Rep. DeBerry moved passage of Senate Bill No. 2407 on third and final consideration, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 91 |
| Noes. ....                   | 0  |
| Present and not voting. .... | 2  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 91.

Representatives present and not voting were: Stafford, Yelton -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 2281 -- Teenage Pregnancy -- Transfers Tennessee informational clearinghouse on teenage pregnancy; adds certain responsibilities. Amends TCA 37-3-108; Title 37, Ch. 3, Pt. 5.**

Rep. DeBerry moved that House Bill No. 2281 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

### Amendment No. 1

Amend House Bill No. 2281 by deleting Section 2(c) in its entirety.

AND FURTHER AMEND by adding the following language to the end of Section 7:

In preparing for and responding to requests for information collected and maintained within the clearinghouse, the department of health and environment shall provide a level of service which is at least comparable to the level of service so provided by the children's services commission prior to the effective date of this act.

On motion, Amendment No. 1 was adopted.

Rep. DeBerry moved that House Bill No. 2281, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes..... 90  
Noes..... 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

**House Bill No. 2139 -- Public Records --** Requires custodian of vital records to release information concerning fact of a person's birth or death. Amends TCA 68-3-205.

Rep. Purcell moved that House Bill No. 2139 be passed on third and final consideration.

Rep. U. Jones moved the previous question, which motion prevailed.

Thereupon, Rep. Purcell moved that House Bill No. 2139 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 88  
Noes..... 3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Chiles, Crain, Stafford -- 3.

A motion to reconsider was tabled.

## **MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Bill No. 1639** -- Garnishments and Executions -- Establishes garnishment proceedings. Amends TCA, Title 26.

Rep. Purcell moved that House Bill No. 1639 be reset on the Calendar for Thursday, April 28, 1988, which motion prevailed.

### **PRESENT IN CHAMBER**

Representative Davis (Knox) was recorded as being present in the Chamber.

### **REGULAR CALENDAR, CONTINUED**

**House Bill No. 2301** -- Medical Occupations -- Revises certain requirements relative to the practice of occupational and physical therapy. Amends TCA 63-13-102.

Rep. Turner (Hamilton) moved that House Bill No. 2301 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

#### **Amendment No. 1**

Amend House Bill No. 2301 by adding the following language as a new Section 2, and by renumbering the effective date section accordingly:

SECTION 2. Tennessee Code Annotated, Section 63-13-102(a)(9), is amended by adding the following new subdivision (C):

(C) Nothing in this act shall be construed as authorizing a physical therapist, or physical therapy assistant, or any other person to practice medicine, osteopathy, or podiatry or any other method of healing as authorized by the state.

On motion, Amendment No. 1 was adopted.

Rep. Starnes moved to amend as follows:

#### **Amendment No. 2**

Amend House Bill No. 2301 by deleting Section 1 in its entirety and by substituting the following new Section 1:

Section 1. Tennessee Code Annotated, Section 63-13-102, subsection (a), item (9)(A), is amended by deleting the word "all" and by adding the following words and punctuation at the end of the sentence: "; except for the initial evaluation which may be conducted without such referral."

On motion, Amendment No. 2 was adopted.

Rep. Duer moved to amend as follows:

Amendment No. 3

Amend House Bill No. 2301 by inserting the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ Tennessee Code Annotated, Section 63-13-102(a)(9)(A) is further amended by adding the following language at the end thereof:

; provided, further, that no initial evaluation shall be conducted without referral unless the therapist holds a master's degree or five (5) years of experience.

Rep. Turner (Hamilton) moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 58 |
| Noes. ....                   | 23 |
| Present and not voting. .... | 2  |

Representatives voting aye were: Bell, Bivens, Bragg, Burnett, Bushing, Cain, Clark, Coffey, Collier, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Gaia, Garrett, Good, Hawkins, Head, Herron, Holcomb, Hurley, Huskey, Ivy, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, Miller, Moore (Lawrence), Naifeh, Odom, Peroulas, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Hamilton), Severance, Shirley, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, L. (Shelby), West, Wheeler, Whitson, Wix, Yelton, Mr. Speaker Murray -- 58.

Representatives voting no were: Bewley, Byrd, Chiles, Draw, Duer, Frensley, Harrill, Hassell, Henry, Hillis, Hobbs, Holt, Montgomery, Rhinehart, Robinson (Washington), Scruggs, Stafford, Tankersley, Turner, C. (Shelby), Ussery, Webb, Wolfe, Wood -- 23.

Representatives present and not voting were: Moore (Shelby), Nance -- 2.

Thereupon, Rep. Turner (Hamilton) moved that House Bill No. 2301, as amended, be passed on third and final consideration.

Rep. Burnett moved the previous question, which motion prevailed.

Thereupon, Rep. Turner (Hamilton) moved that House Bill No. 2301, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 88 |
| Noes. .... | 4  |

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Holcomb, Holt, Hurley, Huskey, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, Miller, Montgomery, Moody, Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Crain, Duer, Hobbs, Ivy -- 4.

A motion to reconsider was tabled.

**House Bill No. 1637** -- Appropriations -- Appropriates sum certain for certain markers built by Civilian Conservation Corps.

On motion, House Bill No. 1637 was made to conform with Senate Bill No. 1360.

On motion, **Senate Bill No. 1360**, on same subject, was substituted for House Bill No. 1637.

Rep. Crain moved that Senate Bill No. 1360 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 1360 by deleting the first sentence of Section 1 in its entirety and by substituting instead the following:

The state shall provide funding to the National Association of Civilian Conservation Corps (NACCA) for the erection of markers at state parks developed and/or constructed by the Civilian Conservation Corps.

AND FURTHER AMENDED by adding the following new section , immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ . The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. Crain moved that Senate Bill No. 1360, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 92 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

**House Bill No. 1333 -- Sports --** Authorizes civil cause of action against person who violates rule of NCAA.

On motion, House Bill No. 1333 was made to conform with Senate Bill No. 1348.

On motion, **Senate Bill No. 1348**, on same subject, was substituted for House Bill No. 1333.

Rep. Severance moved passage of Senate Bill No. 1348 on third and final consideration, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes.....                   | 87 |
| Noes.....                   | 4  |
| Present and not voting..... | 2  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Kent, Kernell, Kisber, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

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Representatives voting no were: DeBerry, Jones, R. (Shelby), Tankersley, Turner, L. (Shelby) -- 4.

Representatives present and not voting were: Dixon, Lawson -- 2.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 2301 and have this statement entered in the Journal.

Rep. Bragg

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1450 -- Credit, Consumer -- Amends Consumer Protection Act to include consumer credit transactions. Amends TCA, Title 47, Ch. 18.**

Rep. Purcell moved that House Bill No. 1450 be passed on third and final consideration.

Rep. Ellis moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 1450 by deleting Section 2 in its entirety and by substituting in lieu thereof the following new section 2:

SECTION 2. Tennessee Code Annotated, Section 47-18-102(3), is amended by adding the language at the end of the subsection, "and equal consumer credit practices as required by Tennessee Code Annotated, Title 47, Chapter 17, as it relates to handicapped persons"; and

FURTHER AMEND by deleting Section 3 in its entirety;

AND FURTHER AMEND by deleting Section 4 in its entirety and by substituting in lieu thereof the following new section 4:

SECTION 4. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following new item at the end of the subsection to be appropriately numbered:

( ) Using discriminatory tactics in extending consumer credit practices as required in Tennessee Code Annotated, Title 47, Chapter 17, as it relates to handicapped persons;

AND FURTHER AMEND by deleting Section 7 in its entirety and by substituting in lieu thereof the following new Section 7:

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**SECTION 7.** Tennessee Code Annotated, Section 47-18-111(a), is amended by inserting at the beginning of item (3) the language "Except those transactions involving the Equal Consumer Credit Act of 1974, as it relates to handicapped persons."

On motion, Amendment No. 1 was adopted.

Rep. Ellis moved to amend as follows:

**Amendment No. 2**

Amend House Bill No. 1450 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

**SECTION 1.** Tennessee Code Annotated, Title 47, Chapter 18, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section \_\_. No utility or company which has been issued a franchise license by a municipal governing body to provide services shall assess a penalty for the late payment of a fee or charge for services, if the penalty is due and payable in advance of such services being provided. However, this limitation shall not be construed to prohibit a discount from being offered for early payment of the applicable fee or charge for services.

**SECTION 2.** This act shall take effect July 1, 1988, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Ellis moved to amend as follows:

**Amendment No. 3**

Amend House Bill No. 1450 by adding the following as a new section before the effective date:

Section \_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 3 was adopted.

Rep. Purcell moved to amend as follows:

**Amendment No. 4**

Amend House Bill No. 1450 by deleting all of the language after the enacting clause, and by substituting the following:

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SECTION 1. Tennessee Code Annotated, Section 47-18-103(2), is amended by deleting the words "department of agriculture" and substituting the words "department of commerce and insurance".

SECTION 2. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following new subdivisions at the end of the subsection to be appropriately numbered:

( ) Assessing a penalty for the pre-payment or early payment of a fee or charge for services by a utility or company which has been issued a franchise license by a municipal governing body to provide services; provided, however, that nothing in this subdivision shall be construed to prohibit a discount from being offered for early payment of the applicable fee or charge for services. This subdivision shall not apply to a utility or company whose billing statement reflects charges both for service previously rendered and in advance of services provided.

( ) Discriminating against any individual in violation of the Tennessee Equal Consumer Credit Act of 1974; provided, however, that this subdivision shall not apply to any creditor or credit card issuer regulated by the department of financial institutions. The consumer affairs division shall refer any complaint against such a creditor or credit card issuer involving the Equal Consumer Credit Act to the department of financial institutions for investigation and disposition.

SECTION 3. Tennessee Code Annotated, Section 47-18-109(a), is amended by adding the following new subdivision at the end of the subsection to be appropriately numbered:

( ) The provisions of this subsection shall not apply with respect to alleged violations of the Tennessee Equal Consumer Credit Act of 1974.

SECTION 4. Tennessee Code Annotated, Section 47-18-111(a), is amended by deleting the text of subdivision (3) and substituting the following:

Credit terms of a transaction which may be otherwise subject to the provisions of this part, except insofar as the Tennessee Equal Consumer Credit Act of 1974 may be applicable.

SECTION 5. This act shall take effect on July 1, 1988, the public welfare requiring it.

Rep. Burnett moved the previous question, which motion prevailed.

Thereupon, Rep. Purcell renewed his motion to adopt Amendment No. 4, which motion prevailed.

Rep. Burnett moved the previous question on House Bill No. 1450, which motion prevailed.

Thereupon, Rep. Purcell moved that House Bill No. 1450, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. .... 92  
Noes. .... 3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Hobbs, Moore (Lawrence), Stafford -- 3.

A motion to reconsider was tabled.

**House Bill No. 1688** -- Tennessee Arts Commission -- Creates full time position to monitor participation by ethnic minority artists and organizations in grant programs. Amends TCA, Title 4, Ch. 20.

On motion, House Bill No. 1688 was made to conform with Senate Bill No. 1840.

On motion, **Senate Bill No. 1840**, on same subject, was substituted for House Bill No. 1688.

Rep. DeBerry moved passage of Senate Bill No. 1840 on third and final consideration, which motion prevailed by the following vote:

Ayes. .... 94  
Noes. .... 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

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**House Bill No. 2337** -- Alcoholic Beverage Commission -- Increases compensation of members. Amends TCA 57-1-103.

On motion, House Bill No. 2337 was made to conform with Senate Bill No. 1918.

On motion, **Senate Bill No. 1918**, on same subject, was substituted for House Bill No. 2337.

Rep. DeBerry moved passage of Senate Bill No. 1918 on third and final consideration, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes.....                   | 69 |
| Noes.....                   | 20 |
| Present and not voting..... | 2  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Garrett, Good, Hawkins, Henry, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Swann, Tanner, Turner (Hamilton), Turner, L. (Shelby), Webb, Wheeler, Whitson, Winningham, Wix, Mr. Speaker Murray -- 69.

Representatives voting no were: Byrd, Chiles, Coffey, Copeland, Duer, Harrill, Holcomb, Kent, Lawson, Long, McAfee, Montgomery, Moore (Shelby), Nance, Tankersley, Turner, C. (Shelby), West, Wolfe, Wood, Yelton -- 20.

Representatives present and not voting were: Shirley, Ussery -- 2.

A motion to reconsider was tabled.

### MESSAGE FROM SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1862, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### HOUSE BILL RETURNED

There being no objection, Rep. Miller asked that the Clerk be directed to return House Bill No. 1862 to the Senate as requested.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 2209** -- Insurance, Health, Accident -- Creates the "Long Term Care Insurance Act". Amends TCA, Title 56.

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On motion, House Bill No. 2209 was made to conform with Senate Bill No. 2353.

On motion, **Senate Bill No. 2353**, on same subject, was substituted for House Bill No. 2209.

Rep. Starnes moved passage of Senate Bill No. 2353 on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 92 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), ~~Turner~~, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, ~~Winningham~~, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on **Senate Bill No. 2353** and have this statement entered in the Journal.

Rep. Purcell

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1493 -- Public Service Commission --** Vests public service commission officer with power to arrest certain violators; authorizes fines and forfeitures from such arrests to be credited to commission's motor vehicle account. Amends TCA, Title 39, Ch. 6, Pt. 4; Title 55, Ch. 10, Pt. 4, 65-15-106.

On motion, House Bill No. 1493 was made to conform with Senate Bill No. 1754.

On motion, **Senate Bill No. 1754**, on same subject, was substituted for House Bill No. 1493.

Rep. Starnes moved passage of Senate Bill No. 1754 on third and final consideration, which motion prevailed by the following vote:

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|            |    |
|------------|----|
| Ayes. .... | 94 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifah, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

**House Bill No. 1686** -- Mental Health and Mental Retardation, Dept. of -- Directs department to implement program to reimburse the owners of certain nursing homes for certain expenses. Amends TCA, Titles 33, 68.

Rep. King moved that House Bill No. 1686 be reset on the Calendar for Thursday, April 28, 1988, which motion prevailed.

**\*Senate Bill No. 1556** -- Alcoholic Beverages -- Permits alcoholic beverage sales during brunches and buffets on Sunday. Amends TCA 57-4-203.

Further consideration of Senate Bill No. 1556, previously considered on April 20, 1988, at which time it was substituted for House Bill No. 1857, failed to receive a Constitutional majority and was re-referred to Calendar Rules.

Rep. King moved that Senate Bill No. 1556 be reset on the Calendar for Thursday, April 28, 1988, which motion prevailed.

**House Bill No. 2403** -- District Attorneys -- Requires district attorney to cooperate with certain law enforcement agencies. Amends TCA, Titles 5, 6, 8, 9, 12, 38.

Rep. Davidson moved that House Bill No. 2403 be reset on the Calendar for Thursday, April 28, 1988, which motion prevailed.

**House Bill No. 0562** -- Claims Commission, Tennessee -- Revises certain claim procedures against state. Amends TCA, Title 9, Ch. 8.

On motion, House Bill No. 562 was made to conform with Senate Bill No. 616.

On motion, Senate Bill No. 616, on same subject, was substituted for House Bill No. 562.

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Rep. Burnett moved passage of Senate Bill No. 616 on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 90 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

**\*House Bill No. 2211 -- Bail, Bail Bonds --** Provides for automatic release of sureties from bail obligation once disposition in defendant's case. Amends TCA, Title 40, Ch. 11.

Further consideration of House Bill No. 2211, previously considered on April 20, 1988.

On motion, House Bill No. 2211 was made to conform with Senate Bill No. 2395.

On motion, **Senate Bill No. 2395**, on same subject, was substituted for House Bill No. 2211.

Rep. Buck moved passage of Senate Bill No. 2395 on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 90 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Bill No. 2433** -- Education, Dept. of -- Places DUI schools or programs operated by a state institution of higher education under jurisdiction of department. Amends TCA 33-2-502.

Further consideration of House Bill No. 2433, previously considered on Wednesday, April 20, 1988.

On motion, House Bill No. 2433 was made to conform with Senate Bill No. 2448.

On motion, **Senate Bill No. 2448**, on same subject, was substituted for House Bill No. 2433.

Rep. Jared moved passage of Senate Bill No. 2448 on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes. .... | 91 |
| Noes. .... | 0  |

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

**House Bill No. 1802** -- County Officers -- Requires salary supplement for certain sheriffs. Amends TCA 8-24-102.

Further consideration of House Bill No. 1802, previously considered on Wednesday, April 20, 1988.

Rep. Wix moved that House Bill No. 1802 be re-referred to the Calendar and Rules Committee, which motion he then withdrew.

Rep. Wix moved that House Bill No. 1802 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 1802 by renumbering SECTION 2 as SECTION 3, and by adding a new SECTION 2 to provide as follows:

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SECTION 2. Tennessee Code Annotated, Section 8-24-102(b), is further amended by adding the following sentence to the end of the subsection:

This additional compensation, shall be required only in counties where the county workhouse offers academic, vocational and/or work related programs.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Wix moved that House Bill No. 1802, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes.....                   | 61 |
| Noes.....                   | 25 |
| Present and not voting..... | 5  |

Representatives voting aye were: Bell, Bivens, Bragg, Burnett, Bushing, Byrd, Cain, Collier, Copeland, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Hurley, Huskey, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, West, Wheeler, Winningham, Wix, Yelton, Mr. Speaker Murray -- 61.

Representatives voting no were: Bewley, Buck, Chiles, Coffey, Curlee, Davis (Knox), Drew, Duer, Harrill, Hassell, Holt, Ivy, Lawson, McAfee, Peroulas, Ridgeway, Robinson (Washington), Scruggs, Severance, Swann, Tankersley, Webb, Whitson, Wolfe, Wood -- 25.

Representatives present and not voting were: Good, Long, Moore (Shelby), Nance, Turner, L. (Shelby) -- 5.

A motion to reconsider was tabled.

\*Senate Bill No. 2124 -- Traffic Safety -- Requires red lamps on horse drawn vehicles. Amends TCA 55-8-178.

Further consideration of Senate Bill No. 2124, previously considered on April 18 and 20, 1988, at which time on April 20, it was substituted for House Bill No. 2076 and Amendments Nos. 1, 2 and 3 were adopted.

Rep. Moore (Lawrence) moved that Senate Bill No. 2124 be passed on third and final consideration.

Rep. Moore (Lawrence) moved to amend as follows:

Amendment No. 4

Amend Senate Bill No. 2124 by adding the following new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

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Section \_\_. The provisions of this act shall apply only if such horse-drawn vehicle is used as the owner's primary mode of personal transportation and is regularly driven upon public roads or highways or the rights-of-way thereof.

On motion, Amendment No. 4 was adopted.

Rep. L. Turner (Shelby) moved to amend as follows:

### Amendment No. 5

Amend Senate Bill No. 2124 by deleting from the bill all language added by Senate Amendment No. 1.

On motion, Amendment No. 5 was adopted.

Thereupon, Rep. Moore (Lawrence) moved that Senate Bill No. 2124, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 81 |
| Noes..... | 14 |

Representatives voting aye were: Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Lawson, Love, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 81.

Representatives voting no were: Bell, Bewley, Chiles, Copeland, Harrill, Hurley, Kent, Moody, Moore (Shelby), Rhinehart, Robinson (Washington), Scruggs, Whitson, Wolfe -- 14.

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to House Rule No. 31, I wish to express a desire to change my original stand from not voting to no on Senate Bill No. 2124 and have this statement entered in the Journal.

Rep. Jack A. Long

REGULAR CALENDAR, CONTINUED

**House Bill No. 1809** -- Licenses -- Revises registration, training, and application fee requirements under Private Protective Security Services Act. Amends TCA, Title 62, Ch. 35.

Rep. Kisber moved that House Bill No. 1809 be passed on third and final consideration.

Rep. Tanner moved to amend as follows:

**Amendment No. 1**

Amend House Bill No. 1809 by deleting all of the language after the enacting clause and substituting the following:

**SECTION 1.** Tennessee Code Annotated, Section 62-35-102(16), is amended by deleting item (D) in its entirety and by relettering the subsequent item accordingly.

**SECTION 2.** Tennessee Code Annotated, Section 62-35-103, is amended by deleting item (7) in its entirety and by substituting instead the following:

(7) A full-time employee who has received a commission from the chief law enforcement officer of the appropriate governmental entity and who has completed a training program approved by the commissioner. Such program shall be approved only if all training requirements and the qualifications for the employee are equivalent to or superior to those required for a law enforcement officer under the standards established by the police officer standards and training commission for law enforcement officers. The commissioner shall approve the exemption established by this subsection for each employee utilizing such exemption.

Tennessee Code Annotated, Section 62-35-103, is further amended by deleting item (8) in its entirety and by substituting instead the following:

(8) A full-time sworn peace officer receiving compensation for services as a guard, patrolman, or watchman under a contract with a private business.

Tennessee Code Annotated, Section 62-35-103, is further amended by adding the following new item:

( ) An unarmed employee, whether uniformed or non-uniformed, in the course and scope of employment of a hospital who meets or exceeds all training requirements established in Tennessee Code Annotated, Section 62-35-118.

**SECTION 3.** Tennessee Code Annotated, Section 62-35-114, is amended by deleting from the first sentence the language "assault and battery and".

Tennessee Code Annotated, Section 62-35-114, is further amended by deleting the third sentence in its entirety.

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Tennessee Code Annotated, Section 62-35-114, is further amended by deleting from the last sentence the word "licensed" and by substituting instead the word "approved".

SECTION 4. Tennessee Code Annotated, Section 62-35-116(14), is amended by adding the following language at the end of the item:

If the applicant seeks an armed registration card, the application shall also include a signed sworn statement that the applicant has had no convictions in any state for a felony.

SECTION 5. Tennessee Code Annotated, Section 62-35-118(b)(1), is amended by deleting the language "complete at least twelve (12) additional classroom hours of firearms training administered by a certified trainer," and substituting instead the language "complete at least eight (8) additional classroom hours of firearms training administered by a certified trainer".

SECTION 6. Tennessee Code Annotated, Section 62-35-118(b)(2), is amended by deleting the language "seventy-five percent (75%)" and by substituting instead the language "seventy percent (70%)".

SECTION 7. Tennessee Code Annotated, Section 62-35-118, is amended by adding a new subsection to be appropriately designated which would read as follows:

( ) (1) The requirements of subsection (a) of this section shall not apply to those applicants for registration as "unarmed security guards/officers" who have at least one (1) year of experience as a security guard/officer as of July 1, 1988, or who have had not less than four (4) hours of training equivalent to that required in subsection (a) in the year prior to filing the application.

(2) The requirements of subsection (b) of this section shall not apply to those applicants for registration as "armed security guards/officers" who have had not less than twelve (12) hours of training equivalent to that required in subsection (b) in the year prior to filing the application.

SECTION 8. Tennessee Code Annotated, Section 62-35-119(b), is amended by deleting the last sentence and substituting the following:

A qualified applicant may receive a conditional armed registration card pending receipt of the federal bureau of investigation report. The commissioner shall notify such applicant by postcard that all elements required for the armed registration card have been satisfied except for receipt of the federal bureau of investigation report. The applicant may use the postcard as a conditional armed registration card until the application is ultimately granted or denied. The postcard shall include an expiration date, which shall be established by the department. If no determination is made on the original application before the expiration of the conditional armed registration card, a second conditional armed registration card may be issued.

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SECTION 9. Tennessee Code Annotated, Section 62-35-122(d)(2), is amended by deleting the language "seventy-five percent (75%)" and by substituting instead the language "seventy percent (70%)".

SECTION 10. Tennessee Code Annotated, Section 62-35-123, is amended by designating the existing language as subsection (a) and by adding the following new subsection:

(b) Notwithstanding the requirements of subsection (a), a hospital may voluntarily elect to submit to the requirements for a proprietary security organization under this chapter and evidence such election by filing with the commissioner the notice required in subsection (a). Such notice shall be revocable by such hospital at any time upon appropriate notice of revocation.

SECTION 11. Tennessee Code Annotated, Section 62-35-125, is amended by deleting the text thereof in its entirety and substituting the following:

An armed security guard/officer may carry only such types of weapons as the commissioner shall, by rules and regulations, prescribe.

SECTION 12. Tennessee Code Annotated, Section 62-35-126, is amended by adding the following new subsection:

(f) The commissioner shall charge and collect an annual fee of one hundred fifty dollars (\$150) for certification of a trainer hereunder.

SECTION 13. Tennessee Code Annotated, Section 62-35-129(c), is amended by deleting the last sentence and by substituting instead the following:

Such committee may make formal recommendations to the commissioner or the general assembly.

SECTION 14. Tennessee Code Annotated, Section 62-35-131, is amended by adding the following new subsection (b) and by redesignating the subsequent subsection accordingly:

(b) Notwithstanding the requirements of Tennessee Code Annotated, Section 39-6-1702 concerning permission to carry a weapon, any person not bonded and sworn as deputy sheriff, but who is properly registered as an armed security guard/officer as defined herein may carry a weapon pursuant to a written directive as provided by this subsection. Provided, however, in any county having a metropolitan form of government, the chief of police as the chief law enforcement officer shall be considered as the sheriff for the purposes of this section only and the sheriff of such county shall have no additional authority under the provisions of this act.

(1) Prior to the issuance of such written directive authorizing a person acting as an armed security guard/officer, but not bonded and sworn as a deputy sheriff, to carry a weapon, the sheriff shall require an individual to present proof of compliance with Tennessee Code Annotated, Title 62, Chapter 35.

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(2) The individual shall first be properly and duly registered as an armed security guard/officer, and shall possess a valid registration card as defined in Tennessee Code Annotated, Title 62, Chapter 35.

(3) The sheriff shall waive the provisions relative to investigation and training, for those individuals properly and duly registered and in possession of a valid registration card.

(4) Upon waiving these provisions, the sheriff shall issue a written directive authorizing that individual to carry a weapon for the purpose of employment within the county of issue and for a specific employer.

(5) Such directive shall on the front contain the name, photograph, thumbprint, physical characteristics, and signature of the person to whom the directive is issued, as well as the sheriff's identification number, date of issue, and signature of the sheriff.

(6) Such directive shall also contain on the back, the conditions for carrying of the weapon, a statement that the bearer of this written directive must have in his or her possession a valid armed security guard/officer registration card, the type and serial number of the weapon to be carried, and an expiration date chosen to coincide with the expiration date of the individual's armed security guard/officer registration card.

(7) The written directive shall be issued in a wallet-sized card and shall be permanently laminated.

(8) The sheriff may charge a reasonable fee of not more than fifteen dollars (\$15.00), for the issuance and administration of the written directive. Upon expiration or change of employment/employer, or revocation or suspension of an individual's armed security guard/officer registration card, the directive shall be immediately returned to the possession of the sheriff issuing such directive. The sheriff shall at all times reserve the right to revoke or suspend the authorization to carry a weapon at such time as he finds any reason, in his judgment, which indicates the person's disqualification to carry a weapon within the county of issue.

(9) Anyone intentionally failing to return the written directive to the issuing sheriff shall be guilty of a misdemeanor.

**SECTION 15.** Tennessee Code Annotated, Section 62-35-134(c)(4), is amended by deleting that item in its entirety and substituting instead the following language:

Carry a firearm in performance of his duties if not authorized to carry such firearm.

**SECTION 16.**

(a) For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect on July 1, 1988, the public welfare requiring it.

(b) Notwithstanding the provisions of Section 38(b) of Chapter 436 of the Public Acts of 1987, any person who is engaged in any business or activity for which a license or registration card is required hereunder shall have until July 1, 1988, to apply for such license or registration card.

Rep. Kisber moved to amend as follows:

**Amendment No. 1 to Amendment No. 1**

Amend Amendment No. 1 to House Bill No. 1809 by adding to the first sentence of subsection (7) of Section 2 between the words "employee" and "who" the words "of a proprietary security organization".

AND FURTHER AMEND by deleting from the last paragraph of Section 2 the language "who meets or exceeds all training requirements established in Tennessee Code Annotated, Section 62-35-118" and by substituting instead the language "who exceeds all training requirements established in Tennessee Code Annotated, Section 62-35-118, by having received not less than twelve (12) classroom hours of training. The course curriculum for such training shall be on file with the commissioner".

AND FURTHER AMEND by adding the following new item at the end of Section 2:

( ) A person who is compensated by a resort area owner or management company and who has received a commission from the chief law enforcement officer of the appropriate governmental entity. Within one (1) year of being so employed, such person shall have completed a training program approved by the commissioner. Such program shall be approved only if all training requirements and the qualifications for the employee are equivalent to or superior to those required for a law enforcement officer under the standards established by the police officer standards and training commission for law enforcement officers. The commissioner shall approve the exemption established by this subsection for each employee utilizing such exemption.

AND FURTHER AMEND by adding in the amendatory language of Section 10 between the words "hospital" and "may" the words which employs only unarmed security guards/officers".

\* AND FURTHER AMEND by deleting from Section 16 the date July 1, 1988, wherever it may appear and by substituting instead the date October 1, 1988.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Rep. Tanner moved that Amendment No. 1, as amended, be adopted, which motion prevailed.

Rep. Bushing moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1809 by adding at the end of Section 2 the following new paragraph:

Tennessee Code Annotated, Section 62-35-103, is further amended by adding the following new item:

( ) An employee in the course and scope of employment of an armored motor vehicle service which transports cash, securities, and other items of value.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Kisber moved that House Bill No. 1809, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 90 |
| Noes..... | 6  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, Wheeler, Whitson, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: Clark, Long, Shirley, Turner, L. (Shelby), West, Wood -- 6.

A motion to reconsider was tabled.

\*House Joint Resolution 0530 -- Constitutional Amendments -- Revises tax structure to consist solely of sales and use and income taxes. Amends Constitution, Article II, Sections 28, 29 and 30 Article XI, Section 9.

After House Joint Resolution No. 530 was read, Rep. Copeland moved that House Joint Resolution No. 530 be adopted.

Rep. Buck moved the previous question, which motion prevailed.

Rep. Copeland moved that House Joint Resolution No. 530 be adopted, which motion failed by the following vote:

## MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 37 |
| Noes. ....                   | 53 |
| Present and not voting. .... | 1  |

Representatives voting aye were: Bragg, Burnett, Byrd, Cain, Coffey, Copeland, Cross, DeBerry, Dixon, Duer, Ellis, Frensley, Gaia, Good, Head, Huskey, Jones, R. (Shelby), Kernell, King, Long, McAfee, Moore (Shelby), Naifeh, Nance, Pruitt, Robinson (Hamilton), Robinson (Washington), Stafford, Stallings, Starnes, Tankersley, Turner, L. (Shelby), West, Wix, Wolfe, Wood, Yelton -- 37.

Representatives voting no were: Bell, Bewley, Bivens, Buck, Bushing, Chiles, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Drew, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Hurley, Ivy, Jared, Kent, Kisber, Lawson, Miller, Montgomery, Moody, Moore (Lawrence), Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Severance, Shirley, Swann, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, Wheeler, Whitson, Winningham, Mr. Speaker Murray -- 53.

Representative present and not voting was: Love -- 1.

**House Bill No. 1605 -- Sunset Laws --** Extends termination date of Board of Paroles. Amends TCA, Title 4, Chs. 5, 29; Title 8, Ch. 7; Title 38, Ch. 6; Title 39, Ch. 3; Title 40; Title 41, Ch. 1.

On motion, House Bill No. 1605 was made to conform with Senate Bill No. 1708.

On motion, **Senate Bill No. 1708**, on same subject, was substituted for House Bill No. 1605.

Rep. Byrd moved passage of Senate Bill No. 1708 on third and final consideration, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 87 |
| Noes. ....                   | 0  |
| Present and not voting. .... | 1  |

Representatives voting aye were: Bell, Bewley, Bragg, Buck, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Drew, Duer, Ellis, Frensley, Gaia, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

Representative present and not voting was: Bivens -- 1.

A motion to reconsider was tabled.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No. 2457; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**Senate Bill No. 2457** -- Medicine, Practice of -- Revises certificate of need requirements for medical laboratories. Amends TCA 68-11-202. (\*HB 2392).

**CONSENT CALENDAR**

**House Bill No. 2378** -- Divorce and Annulment -- Clarifies internal Code references. Amends TCA 8-36-606, 35-50-115.

On motion, House Bill No. 2378 was made to conform with Senate Bill No. 2319.

On motion, **Senate Bill No. 2319**, on same subject was substituted for House Bill 2378.

**\*House Bill No. 1626** -- Banks and Financial Institutions -- Corrects internal code references concerning confidentiality of bank examination reports. Amends TCA, Title 9, Ch. 4, 45-2-1603.

**\*House Joint Resolution 0584** -- Memorials, Government Officials -- Request Education Oversight Committee to study speech and language services in schools.

**\*Senate Joint Resolution 0158** -- Memorials, Government Officials -- Requests commissioner of conservation to study feasibility of acquiring additional property adjacent to Warrior's Path State Park.

**\*House Bill No. 2392** -- Medicine, Practice of -- Revises certificate of need requirements for medical laboratories. Amends TCA 68-11-202.

On motion, House Bill No. 2392 was made to conform with Senate Bill No. 2457.

On motion, **Senate Bill No. 2457**, on same subject was substituted for House Bill No. 2392.

**\*House Bill No. 2099** -- Apportionment, Legislative -- Reapportions state representative districts 66 and 68. Amends TCA 3-1-103.

On motion, House Bill No. 2099 was made to conform with Senate Bill No. 2303.

On motion, **Senate Bill No. 2303**, on same subject was substituted for House Bill No. 2099.

**\*House Joint Resolution 0583** -- Highways, Roads and Bridges -- Provides for directional signs for Dr. R.S. Gass Building on Ellington Parkway.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**\*House Joint Resolution 0611** -- Memorials, Government Officials -- Encourages Departments of Correction and Education to enter program for educational opportunities for inmates.

**House Resolution No. 0144** -- Memorials -- Honors St. Agnes Academy twentieth year class reunion.

**House Resolution No. 0145** -- Memorials, Public Service -- Honors president, officers and staff of Bank of East Tennessee.

**House Resolution No. 0146** -- Memorials, Congratulations -- Congratulates eight East Tennessee students on winning Fair Housing Poster Contest.

**House Resolution No. 0147** -- Memorials, Congratulations -- Honors Joe and JoBlan LaRue on their fiftieth wedding anniversary.

**House Joint Resolution 0766** -- Memorials, Sports -- Honors Dr. Judd W. Colinger, Jr. as Unicoi County High School football team doctor.

**House Joint Resolution 0768** -- Memorials, Sports -- Honors Coach Charlie Baxter and Unicoi County High School baseball team.

**House Joint Resolution 0769** -- Memorials, Sports -- Honors Avoca Junior League 13 year old All Star team as state champions.

**House Joint Resolution 0774** -- Memorials, Recognition and Thanks -- Honors Tonda Mott, 1988 legislative intern.

**House Joint Resolution 0775** -- Memorials, Public Service -- Honors Lorene Jones on selection as Outstanding Neighborhood Leader of the Year.

**House Joint Resolution 0776** -- Memorials, Recognition and Thanks -- Commends Shannon Richardson, 1988 legislative intern.

**House Joint Resolution 0777** -- Memorials -- Honors Louise Bodiford Byrd for a lifetime of contributions to her family, church and community.

**House Joint Resolution 0778** -- Memorials, Professional Achievement -- Honors Dr. James C. Hunt on receipt of Distinguished Service award of Tennessee Medical Association.

**House Joint Resolution 0780** -- Memorials, Congratulations -- Honors 20th anniversary of Goodyear Tire and Rubber Company in Union City.

**House Joint Resolution 0781** -- Memorials, Public Service -- Honors Matthew R. Davis for contributions to Memphis.

**Senate Joint Resolution 0476** -- Memorials, Recognition and Thanks -- Honors Sandra Lynn Stapleton, 1988 legislative intern.

**Senate Joint Resolution 0483** -- Memorials, Personal Achievement -- Congratulates Kirstie Baker on graduation from O'More School of Design.

## **MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**Senate Joint Resolution 0487** -- Memorials, Professional Achievement -- Honors Herbert Meece for his contributions to the General Assembly.

**Senate Joint Resolution 0490** -- Memorials, Professional Achievement -- Honors Preston John Hubbard of Austin Peay State University on career in higher education.

**Senate Joint Resolution 0492** -- Memorials, Retirement -- Honors J. Neil Ensminger on retirement from Daily Post Athenian.

**Senate Joint Resolution 0498** -- Memorials, Professional Achievement -- Honors Turner Kirkland, Chairman of the Board of Dixie Gun Works, Inc.

**Senate Joint Resolution 0499** -- Memorials, Recognition and Thanks -- Honors April Branche, 1988 intern for Governor McWherter's legislative staff.

**Senate Joint Resolution 0500** -- Memorials, Recognition and Thanks -- Honors Lance Webb, intern for Governor McWherter's legislative staff.

**Senate Joint Resolution 0501** -- Memorials, Recognition and Thanks -- Honors Katherine Michelle Carter, 1988 legislative intern.

**Senate Joint Resolution 0502** -- Memorials, Recognition and Thanks -- Honors Willie Borchert and West Tennessee fishermen for Rural West Tennessee Caucus Fish Fry.

**House Bill No. 2485** -- Humboldt -- Permits non residents to vote in municipal elections under certain conditions. Amends Chapter 77, Private Acts of 1913, as amended.

On motion, House Bill No. 2485 was made to conform with Senate Bill No. 2487.

On motion, **Senate Bill No. 2487**, on same subject was substituted for House Bill No. 2485.

**House Bill No. 2514** -- Jackson -- Revises city charter. Amends Chapter 167, Private Acts of 1969.

### **OBJECTION -- CONSENT CALENDAR**

Objection was filed to the following on the Consent Calendar:

House Bill No. 2514 was objected to by Rep. Kisber.

Under the rules, House Bill No. 2514 was placed at the foot of the Calendar for Tuesday, April 26, 1988.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

|           |    |
|-----------|----|
| Ayes..... | 91 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to **House Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on House Joint Resolution No. 530 and have this statement entered in the Journal.

Rep. John Tanner

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Joint Resolution 0468** -- Finance and Administration, Dept. of -- Requests department to study feasibility of better utilizing computerization and communications to enhance delivery of social services.

**Senate Amendment No. 1**

Amend House Joint Resolution No. 468 by deleting from the first resolving clause the words and punctuation "That the Commissioner of Finance and Administration;" and by substituting instead the word and punctuation "That the Information Systems Council;"

Rep. Pruitt moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

|           |    |
|-----------|----|
| Ayes..... | 90 |
| Noes..... | 0  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Kent, Kernell,

## **MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

King, Kisber, Lawson, Long, Love, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

**House Bill No. 1862** -- Municipal Government -- Places certain requirements on boards of directors of not-for-profit corporations acting on behalf of local governments under the provisions of TCA Title 7, Chapters 4, 58. Amends TCA, Title 7, Ch. 54; Title 8, Ch. 44; Title 12, Ch. 4; Title 68, Ch. 31.

House Bill No. 1862 was previously returned to the Senate, as requested, for further consideration.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 583.

The Senate concurred in House Amendments Nos. 1 and 2, and nonconcurred in House Amendment No. 3.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1362.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators McKnight, McNally and Cohen to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 1362.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1551.

The Senate refused to recede from its action in adopting Senate Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1604.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 3, withdrew Amendment No. 3, adopted Amendment No. 5, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1638; substituted for Senate Bill on same subject, amended; and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1807.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1929.

The Senate concurred in House Amendments Nos. 1, 2, 3, 6, 8, 10, 11, 12, and 13, and nonconcurred in House Amendments Nos. 4 and 5.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1938.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 3, withdrew Amendment No. 3, adopted Amendment No. 4, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1957.

The Senate nonconcurred in House Amendments Nos. 1, 2, 3, 4 and 5.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2224, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 2241.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 1, withdrew Amendment No. 1, then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No. 2339.

The Senate refused to recede from its action in adopting Senate Amendments Nos. 1, 2, 3, 4, 5, 6, and 7.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**MOTION**

**House Bill No. 1883** -- Products Liability -- Limits potential for punitive damage award in products liability cases. Amends TCA, Title 29, Ch. 28.

Pursuant to **Rule No. 13**, Rep. Bivens moved to set special order to recall House Bill No. 1883 from Judiciary Committee and set it as a Special Order on the calendar for Tuesday, April 26, 1988.

Rep. Burnett moved to table the motion, which tabling motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 56 |
| Noes. ....                   | 26 |
| Present and not voting. .... | 2  |

Representatives voting aye were: Buck, Burnett, Bushing, Byrd, Cain, Clark, Collier, Cross, Davidson, Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Gaia, Hassell, Hawkins, Herron, Hillis, Holcomb, Holt, Hurley, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Long, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Stallings, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Winningham, Wix, Yelton, Mr. Speaker Murray -- 56.

Representatives voting no were: Bivens, Bragg, Chiles, Coffey, Crain, Curlee, Davis (Gibson), Duer, Frensley, Good, Harrill, Head, Henry, Napier, Peroulas, Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tankersley, Ussery, Webb, Wolfe, Wood -- 26.

Representatives present and not voting were: Hobbs, Whitson -- 2.

A motion to reconsider was tabled.

**MOTION**

Rep. Naifeh moved that all bills lying on the desk be introduced, passed first consideration, which motion prevailed.

Rep. Naifeh further moved that all congratulatory and memorializing resolutions with the exception of House Joint Resolutions Nos. 790, 791, 793, 802, 803 and 809 and House Resolution No. 152, be introduced and placed on the Consent Calendar for Tuesday April 26, 1988, which motion prevailed.

Rep. Naifeh moved that all Bills on the calendar for Wednesday, April 27, 1988 be put on calendar for Tuesday, April 26, 1988, which motion prevailed.

**MOTION**

Rep. Burnett moved that House Bill No. 1456 be recalled from the State and Local Government Committee and referred to the Calendar and Rules Committee, which motion he then withdrew.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Bill No. 1456** -- County Officers -- Establishes county's responsibility for deputy sheriffs. Amends TCA, Title 8, Ch. 8; Title 29, Ch. 29. by \*Burnett.

**MOTION**

**\*Senate Bill No. 1309** -- County Boundaries -- Makes certain changes in boundary line separating Cumberland and Putnam counties.

Rep. Jared moved passage of Senate Bill No. 1309 on third and final consideration, which motion prevailed by the following vote:

|                              |    |
|------------------------------|----|
| Ayes. ....                   | 87 |
| Noes. ....                   | 0  |
| Present and not voting. .... | 1  |

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

Representative present and not voting was: Turner, L. (Shelby) -- 1.

A motion to reconsider was tabled.

**NOTICE TO ACT ON SENATE AMENDMENTS**

Pursuant to **Rule No. 59**, the sponsors gave notice of intent to consider the following measure from the Senate on Tuesday, April 26, 1988:

Senate Bill No. 583: Rep. West.

House Bill No. 616: Rep. Wheeler.

Senate Bill No. 1362: Rep. Kisber.

House Bill No. 1551: Rep. Long.

House Bill No. 1604: Rep. King.

House Bill No. 1638: Rep. Kisber.

House Bill No. 1642: Rep. King.

Senate Bill No. 1807: Rep. Dixon.

## MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY

Senate Bill No. 1929: Rep. Davis (Gibson).

House Bill No. 1938: Rep. West.

House Bill No. 1956: Rep. Bushing.

Senate Bill No. 1957: Rep. Bragg.

House Bill No. 2131: Rep. King.

Senate Bill No. 2224: Rep. U. Jones (Shelby).

Senate Bill No. 2339: Rep. DeBerry.

### BILLS WITHDRAWN

On motion of Rep. Ellis, House Joint Resolution No. 581 was recalled from the Calendar and Rules Committee.

On motion of Rep. Ellis, **House Joint Resolution No. 581** was withdrawn from the House.

### BILL RE-REFERRED

Rep. Bragg moved that House Joint Resolution No. 618 be recalled from the State and Local Government Committee and referred to the Calendar and Rules Committee, which motion prevailed.

**\*House Joint Resolution 0618** -- General Assembly, Studies -- Creates special joint committee to study benefits of consolidation of all state fire agencies. by \*Bragg.

### RULES SUSPENDED

Rep. Bragg moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee so that House Joint Resolution No. 618 can be heard by the Calendar and Rules Committee on Tuesday, April 26, 1988, which motion prevailed.

### RULES SUSPENDED

Rep. Bragg moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee so that all bills recommended out of Finance, Ways and Means on Tuesday, April 26, 1988 can be heard by the Calendar and Rules Committee on Wednesday, April 27, 1988, which motion prevailed.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**RULES SUSPENDED**

Rep. Phillips moved to suspend **Rule No. 49** (48-hour rule) to allow bills moved from Calendar and Rules Tuesday and Wednesday, April 26 and 27, 1988, to be set on floor calendars Tuesday and Thursday, April 26 and 28, 1988, and to allow more than 25 bills to be placed on the calendar, which motion prevailed.

**MOTION**

Rep. Kisber moved that under Resolutions Lying Over, Senate Joint Resolution No. 422 be referred to the Calendar and Rules Committee and placed on the study committee subcommittee calendar for Tuesday, April 26, 1988, which motion prevailed.

**\*Senate Joint Resolution 0422 -- General Assembly, Studies -- Provides for creation of a special joint committee to study rail commuter service.**

**RULES SUSPENDED**

Rep. Kisber moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee so that all bills recommended out of Calendar and Rules Study Resolutions Subcommittee can be heard by the Calendar and Rules Committee on Wednesday, April 27, 1988, which motion prevailed.

**BILL RE-REFERRED**

Rep. Whitson moved that House Joint Resolution No. 767 be recalled from the Transportation Committee and referred to the Calendar and Rules Committee, which motion prevailed.

**\*House Joint Resolution 0767 -- Naming and Designating -- Designates "Norris Bridge" on I-181 over Dry Creek.**

**RULES SUSPENDED**

Rep. Drew moved that the rules be suspended for the purpose of introducing House Resolution No. 152 out of order, which motion prevailed.

**House Resolution No. 0152 -- General Assembly, Proclamations -- Declares May 6, 1988 as Black Faculty and Staff Association Day at UT-Knoxville. by \*Drew.**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Drew, the resolution was adopted.

A motion to reconsider was tabled.

## **MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

### **SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1026: Rep. Wheeler added as a sponsor.

House Bill No. 1333: Reps. Herron, Miller, Clark and Drew added as prime sponsors.

House Bill No. 1463: Rep. Herron added as a prime sponsor.

House Bill No. 1686: Rep. Drew added as a prime sponsor.

House Bill No. 1711: Rep. Webb added as a prime sponsor.

House Bill No. 1712: Rep. Webb added as a prime sponsor.

House Bill No. 2209: Rep. Herron added as a prime sponsor; Rep. Tanner added as a sponsor.

House Bill No. 2323: Reps. Naifeh, Kisber, Burnett, Scruggs, Tanner and Stallings added as prime sponsors.

### **NOTICE**

On Thursday, April 21, 1988, Rep. Bragg suspended Rule 81-1 so that bills being reported out of Finance, Ways and Means committee on Thursday could be heard in Calendar and Rules Committee, with notice properly filed, on Tuesday, April 26, 1988. The bills reported out are as follows: House Bills Nos. 75, 412, 945, 1463, 1503, 1705, 1706, 2091, 2250, 2280, 2331; and Senate Joint Resolution No. 411.

### **ANNOUNCEMENTS**

The Special Joint Committee to study Mental Retardation Delivery Systems, formed by House Joint Resolution 412 of 1987, has filed its report in the Clerk's office.

The AFDC Study Committee, created by House Joint Resolution No. 43 of 1987, has filed its report with the Clerk's office.

All members should check in with the Sergeants-at-arms on Wednesday, so they can be recorded as present for pay purposes. Legislative Administration has asked that you check in even if you have Conference Committee Meetings.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**INTRODUCTION OF RESOLUTIONS**

**House Resolution No. 0148** -- Memorials, Public Service -- Honors Knoxville Area Urban League and William L. Holland for contributions to Knoxville. by \*Drew.

House Resolution No. 148 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Resolution No. 0149** -- Memorials, Sports -- Honors Coach David Collie, Jr., and East Robertson High School boys' basketball team on winning TSSAA Class A state championship. by \*Davidson.

House Resolution No. 149 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Resolution No. 0150** -- Memorials, Recognition and Thanks -- Honors Vandana Malhotra, 1988 legislative intern. by \*May, \*Drew.

House Resolution No. 150 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Resolution No. 0151** -- Memorials, Professional Achievement -- Honors Professor J. Otis Cochran for contributions to UT School of Law. by \*Drew.

House Resolution No. 151 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Resolution No. 0153** -- Memorials, Professional Achievement -- Honors Dr. R. Eugene Smith on election as president of NACUBO. by \*Bell.

House Resolution No. 153 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Resolution No. 0154** -- Memorials, Recognition and Thanks -- Honors Nadine Miehe L. Gill, 1988 legislative intern. by \*Stallings, \*Hobbs, \*DePriest, \*Jared.

House Resolution No. 154 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Resolution No. 0155** -- Memorials, Public Service -- Honors downtown Kiwanis Club of Knoxville for observing Canada Week. by \*Drew.

House Resolution No. 155 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Resolution No. 0156** -- Memorials, Personal Achievement -- Honors Tanisha Fitzgerald, valedictorian of Austin-East High School. by \*Drew.

House Resolution No. 156 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Resolution No. 0157** -- Memorials, Public Service -- Honors Alpha Phi Alpha fraternity on teenage pregnancy workshop. by \*Drew.

House Resolution No. 157 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0782** -- Memorials, Condolence -- Honors memory of Dr. Robert O. Glenn of Mountain City. by \*Hawkins.

House Joint Resolution No. 782 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0783** -- Memorials, Recognition and Thanks -- Expresses appreciation to Saturn Corporation and CSX Corporation for providing rail excursion to Saturn plant site. by \*Ridgeway, \*Burnett, \*Bivens, \*Hobbs, \*Collier, \*Napier, \*Holt, Murray, Chiles, Bragg, West, Long, Davidson, Rhinehart, Huskey, Davis R E, Robinson Ruth, Curlee.

House Joint Resolution No. 783 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0784** -- Memorials, Retirement -- Honors Carmen Hatchett on retirement as superintendent of elementary education in Memphis. by \*Winningham, \*Byrd.

House Joint Resolution No. 784 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0785** -- Memorials, Government Officials -- Encourages Tennessee Arts Commission to support Tennessee's bicentennial through issuance of commemorative coins. by \*Coffey.

House Joint Resolution No. 785 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0786** -- Memorials, Recognition and Thanks -- Honors Brenda L. Smith, 1988 legislative intern. by \*Herron, \*Holt.

House Joint Resolution No. 786 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0787** -- Memorials, Professional Achievement -- Honors Brenda Buford Shaw on operation of her studio of music. by \*Jones U.

House Joint Resolution No. 787 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0788** -- Memorials, Public Service -- Honors Ernest and Omsby Hammons for contributions to field of geology. by \*Phillips.

House Joint Resolution No. 788 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Joint Resolution 0789** -- Memorials, Public Service -- Commends the Tennessee "Just Say No Team" adult volunteers. by \*Tanner, \*Naifeh.

House Joint Resolution No. 789 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0790** -- Memorials, Public Service -- Honors Representative John Tanner on service to General Assembly. by \*Naifeh, \*Ivy, \*Bivens, \*Murray, \*Crain, \*Stallings, \*Kisber, \*Ridgeway, \*West, \*Herron, \*Davis Ray, \*Holt, \*Collier.

Pre-filed and held on the Clerk's desk.

**House Joint Resolution 0791** -- Memorials, Public Service -- Honors Representative L.H. "Cotton" Ivy on service to General Assembly. by \*Naifeh, \*Tanner, \*Murray, \*Burnett, \*Crain, \*Davis Ray, \*Herron, \*Ridgeway, \*Stallings, \*Kisber, \*Rhinehart, \*Bragg, \*Collier, \*Bivens, \*Holt.

Pre-filed and held on the Clerk's desk.

**House Joint Resolution 0792** -- Memorials, Sports -- Honors Coach Bill Satterfield and the Greenback High School football on winning the Clinic Bowl. by \*Stafford.

House Joint Resolution No. 792 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0793** -- Memorials, Public Service -- Honors Representative Jerry Jared on service as member of General Assembly. by \*Naifeh, \*Davidson, \*Winningham, \*Wix, \*Robinson Robb, \*Stallings, \*Long, \*DePriest, \*Hillis, \*Murray, \*Cross, \*Bivens, \*Head, \*Kisber, \*Bell, \*Herron, \*Rhinehart, \*Tanner, \*West, \*Clark, \*Purcell, \*Bushing, \*Pruitt, \*Byrd, \*Jones U, \*Turner C, \*Bragg, Love, Gaia, Cain, Kernell, Jones R, Turner L, Dixon, Shirley.

Pre-filed and held on the Clerk's desk.

**House Joint Resolution 0794** -- Memorials, Personal Achievement -- Honors Dr. Ted Callicott for service as Grand Exalted Ruler of Benevolent and Protective Order of Elks. by \*Ridgeway, \*Webb, \*Collier.

House Joint Resolution No. 794 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0795** -- Memorials, Professional Achievement -- Honors Patricia Higdon, mayor of Halls. by \*Crain.

House Joint Resolution No. 795 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0796** -- Memorials, Recognition and Thanks -- Commends Diana Riskevics, 1988 legislative intern. by \*Montgomery, \*Good.

House Joint Resolution No. 796 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Joint Resolution 0797** -- Memorials, Recognition and Thanks -- Commends Shelly R. Ruth, 1988 legislative intern. by \*Davidson, \*Bell, \*Winningham.

House Joint Resolution No. 797 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0798** -- Memorials, Recognition and Thanks -- Honors Robin Renea Light, 1988 legislative intern. by \*Robinson Ruth, \*Hurley, \*Whitson.

House Joint Resolution No. 798 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0799** -- Memorials, Public Service -- Honors Welcome Wagon on sixtieth anniversary of community service. by \*West, \*Bushing, \*Clark, \*Garrett, \*Pruitt, Love, Odom, Robinson Robb.

House Joint Resolution No. 799 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0800** -- Memorials, Public Service -- Honors Hazel Blankenship Albert on service to Department of Employment Security. by \*Ellis.

House Joint Resolution No. 800 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0801** -- Memorials, Recognition and Thanks -- Recognizes Jennifer Daggett, 1988 legislative intern. by \*Ellis, \*Shirley, \*Turner L.

House Joint Resolution No. 801 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0804** -- Memorials, Public Service -- Honors Reverend Thomas O'Neal Crivens, Sr. for community service and Operation STEP. by \*Jones R, \*Jones U, Dixon, Pruitt, Cain, Turner L.

House Joint Resolution No. 804 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0805** -- Memorials, Congratulations -- Recognizes the UTC-Chattanooga singers for success they have enjoyed as choral singers throughout the world. by \*McAfee, Turner B, Wood, Starnes, Robinson C B, Copeland.

House Joint Resolution No. 805 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0806** -- Memorials, Recognition and Thanks -- Honors Kenneth C. Sain, 1988 legislative intern. by \*Jones U, \*Jones R, \*Turner L.

House Joint Resolution No. 806 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

## **MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Joint Resolution 0807** -- Memorials, Public Service -- Congratulates Joyce A. Jones, finalist for Kingsport Jaycee's Woman of the Year. by \*Hurley.

House Joint Resolution No. 807 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0808** -- Memorials, Sports -- Honors the Father Ryan High School wrestling team on winning the state championship. by \*Ellis, \*West, \*Bushing, \*Robinson Robb, \*Garrett, Pruitt, Love, Clark, Chiles.

House Joint Resolution No. 808 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0810** -- Memorials -- Professional Achievement -- Recognizes William R. Snodgrass on receipt of Financial Management Improvement Award. by \*Bragg, \*Rhinehart, Hillis.

House Joint Resolution No. 810 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0811** -- Memorials, Recognition and Thanks -- Recognizes Mark Funkhouser for service to state. by \*King, \*Byrd, \*Garrett.

House Joint Resolution No. 811 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0812** -- Memorials, Recognition and Thanks -- Honors Dena Laurent, 1988 legislative intern. by \*Miller.

House Joint Resolution No. 812 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**House Joint Resolution 0813** -- Memorials, Professional Achievement -- Honors George Crabb for contributions to field of auto theft investigation. by \*Crain.

House Joint Resolution No. 813 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

### **SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)**

**Senate Joint Resolution 0468** -- Memorials, Sports -- Honors Science Hill High School boys' basketball team on reaching TSSAA tournament.

Senate Joint Resolution No. 468 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**Senate Joint Resolution 0470** -- Memorials, Sports -- Honors Loudon County High School basketball team for outstanding season.

Senate Joint Resolution No. 470 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

## **MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**Senate Joint Resolution 0471** -- Memorials, Recognition and Thanks -- Commends Alex R. Fischer, 1988 UT legislative intern.

Senate Joint Resolution No. 471 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

**Senate Joint Resolution 0495** -- Memorials, Retirement -- Honors John Richardson Rucker on his retirement from the Tennessee Senate.

Senate Joint Resolution No. 495 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

### **RESOLUTIONS LYING OVER**

**Senate Joint Resolution 0418** -- Naming and Designating -- Designates drill hall at National Guard Armory in Chattanooga as "General Carl E. Levi Drill Hall".

Senate Joint Resolution No. 418 to the State and Local Government Committee.

**\*Senate Joint Resolution 0422** -- General Assembly, Studies -- Provides for creation of a special joint committee to study rail commuter service.

The Speaker referred Senate Joint Resolution No. 422 to the Calendar and Rules Committee

**Senate Joint Resolution 0469** -- General Assembly, Proclamations -- Designates May 15 to 21, 1988 as "Police Memorial Week" and May 18, 1988 as "Police Memorial Day".

Senate Joint Resolution No. 469 was introduced; placed on the Consent Calendar for Tuesday, April 26, 1988.

### **INTRODUCTION OF BILLS**

**House Bill No. 2526** -- Anderson County -- Urges county legislative body to call election to abolish office of county superintendent of public instruction. Repeals Chapter 23, Private Acts of 1981. by \*Wheeler, \*Coffey.

Passed first consideration.

**House Bill No. 2528** -- LaGrange -- Revises provisions relative to the charter. Amends Chapter 254, Acts of 1901, as amended. by \*Stallings.

Passed first consideration.

**House Bill No. 2529** -- Germantown -- Enacts "Germantown Construction Impact Fee Act". by \*Nance.

Passed first consideration.

## **MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Bill No. 2530** -- Hamilton County -- Revises procedure for who shall appoint certain members to Erlanger Medical Authority board. Amends Chapter 297, Private Acts of 1976, as amended. by \*Robinson C B, Wood.

Passed first consideration.

**House Bill No. 2531** -- Cheatham County -- Authorizes salary supplement for juvenile jurisdiction in general sessions court. Amends Chapter 133, Private Acts of 1977. by \*Davidson, \*Head.

Passed first consideration.

**House Bill No. 2532** -- Selmer -- Levies hotel/motel tax. by \*Wolfe.

Passed first consideration.

**House Bill No. 2533** -- School Districts -- Transfers revenues of Dyer Special School District to Gibson County Special School District; transfers property to City of Dyer for school purposes; terminates district school property tax in 1988. Amends Chapter 852, Private Acts of 1937, as amended. by \*Davis Ray.

Passed first consideration.

**House Bill No. 2534** -- Milan -- Permits payment of group insurance for mayor and aldermen. Amends Chapter 458, Acts of 1901, as amended. by \*Davis Ray.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

**\*Senate Bill No. 0809** -- Education, Dept. of -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 0424.

**\*Senate Bill No. 1601** -- Human Services, Dept. of -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1673.

**Senate Bill No. 2093** -- Correctional Programs -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1634.

**Senate Bill No. 2534** -- Knox County -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2507.

**Senate Bill No. 2535** -- Municipal Government -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2511.

### **HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 2517** -- Hardeman County -- Passed second consideration and held on the Clerk's desk.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**House Bill No. 2518** -- Jackson -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2519** -- Jackson -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2520** -- Anderson County -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2521** -- Pickett County -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2522** -- School Districts -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2523** -- Franklin -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2524** -- Dickson -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2525** -- Blount County -- Passed second consideration and held on the Clerk's desk.

**House Bill No. 2527** -- School Districts -- Passed second consideration and held on the Clerk's desk.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 1374, 1410, 1552, 1564, 1723, 1732, 1733, 1827, 1945, 2011, 2121, 2132, 2147, 2166, 2167, 2185, 2192, 2292, 2330, 2423, 2426, 2465, 2473, 2479, 2480, 2483, 2491, 2500 and 2509; also House Joint Resolutions Nos. 452, 453, 462, 483, 587, 597, 599, 600, 630, 662, 664, 665, 666, 669, 670, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 689, 690, 692, 695, 696, 697, 710, 712, 714, 717, 728 and 729, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1776, 2010, 2175, 2249, 2272 and 2368; House Joint Resolution No. 764; and House Resolutions Nos. 136, 137, 138, 139, 140, 141, 142 and 143.

**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 2286; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2139 and 2281; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 2180, 2363, 2370 and 2476; substituted for Senate Bills on same subjects and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 2301; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1450; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1802; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 2105, 2106, 2111, 2459, 2461 and 2464; all passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**Senate Bill No. 2105 --** Bond Issues -- Authorizes \$109,100,000 bond issue for various entities of state government.

**Senate Bill No. 2106 --** Appropriations -- Makes appropriations to defray the expenses of state government for fiscal year beginning July 1, 1987.

**Senate Bill No. 2111 --** Bond Issues -- Authorizes issuance of \$30 million bond issue for state buildings.

**Senate Bill No. 2459 --** Labor, Dept. of -- Provides for certain informational services to certain teen parents participating in federally funded assistance programs. Amends TCA 37-3-521.

**Senate Bill No. 2461 --** Teenage Pregnancy -- Provides certain informational services for certain teens. Amends TCA, Titles 3, 4, 33, 37, 49, 50, 68, 71.

**Senate Bill No. 2464 --** Teenage Pregnancy -- Provides certain fixed monetary award for model teenage pregnancy programs. Amends TCA 37-3-111.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolutions Nos.: 446, 459, 473, 474, 475, 477, 478, 479, 480, 481, 484, 485, 486, 489, 491, 494, 504, 505, 506, 507, 508, 509, 510, 511 and 512; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**Senate Joint Resolution 0446** -- Memorials, Government Officials -- Urges U.S. trade representative and president to exercise all powers under 1974 Trade Act to establish fair market for U.S. tobacco products in South Korea.

**Senate Joint Resolution 0459** -- Memorials, Personal Achievement -- Honors Tom T. Hall on career in music and entertainment.

**Senate Joint Resolution 0473** -- Memorials, Sports -- Honors Loudon High School basketball cheerleading squad.

**Senate Joint Resolution 0474** -- Memorials, Public Service -- Honors Christine L. Hillenmeyer.

**Senate Joint Resolution 0475** -- Memorials, Condolence -- Honors memory of Dr. B. H. Goetherth.

**Senate Joint Resolution 0477** -- Memorials, Recognition and Thanks -- Honors Cynthia Brickell, 1988 legislative intern.

**Senate Joint Resolution 0478** -- Memorials, Sports -- Honors Coach Larry Ricker and South Greene High School girls' basketball team on winning TSSAA Class AA state tournament.

**Senate Joint Resolution 0479** -- Memorials, Recognition and Thanks -- Recognizes and thanks Brian Supercynski for his contributions as a legislative intern.

**Senate Joint Resolution 0480** -- Memorials, Recognition and Thanks -- Honors Brad Bowman, 1988 legislative intern.

**Senate Joint Resolution 0481** -- Memorials, Recognition and Thanks -- Expresses appreciation to Saturn Corporation and CSX Corporation for rail excursion to Saturn plant site.

**Senate Joint Resolution 0484** -- Memorials, Professional Achievement -- Honors A. Hamid Andalib, Chattanooga Jaycees Distinguished Service Award winner.

**Senate Joint Resolution 0485** -- Memorials, Public Service -- Honors Roger Dale Bunch for dedication to Greenbrier High School Band.

**Senate Joint Resolution 0486** -- Memorials, Sports -- Recognizes Mike Newman on outstanding career as high school wrestler.

**Senate Joint Resolution 0489** -- General Assembly, Proclamations -- Proclaims October 12, 1988 as "Firefighters Recognition Day" and October 9-15, 1988 as "Firefighters Recognition Week".

**Senate Joint Resolution 0491** -- Memorials, Retirement -- Honors Harry Childress on retirement from U.S. Postal Service.

**Senate Joint Resolution 0494** -- Memorials, Recognition and Thanks -- Recognizes and thanks Kris Whitson for contributions as a legislative intern.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**Senate Joint Resolution 0504 --** Memorials, Professional Achievement -- Honors Thom Thi Bach on receiving 1988 "Women of Achievement" award.

**Senate Joint Resolution 0505 --** Memorials, Professional Achievement -- Honors Mary Wright Robinson on receiving 1988 "Women of Achievement" award.

**Senate Joint Resolution 0506 --** Memorials, Professional Achievement -- Honors Alzada Clark on receiving a 1988 "Women of Achievement" award.

**Senate Joint Resolution 0507 --** Memorials, Recognition and Thanks -- Honors Jane Bauer for service to General Assembly.

**Senate Joint Resolution 0508 --** Memorials, Sports -- Congratulates University of Tennessee women's basketball team on great season.

**Senate Joint Resolution 0509 --** Memorials, Condolence -- Honors the memory of Earnest Joyce, Sr.

**Senate Joint Resolution 0510 --** Memorials, Sports -- Honors Coach Larry Funderburk and South Fulton High School boys' basketball team.

**Senate Joint Resolution 0511 --** Memorials, Sports -- Honors Coach Steve Shipley and Oak Ridge High School boys' basketball team.

**Senate Joint Resolution 0512 --** Memorials, Retirement -- Honors John Lewis Butler on retirement as principal from Johnson County High School.

**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1809; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1626 and House Joint Resolutions Nos. 583, 584, 611, 766, 768, 769, 774, 775, 776, 777, 778, 780 and 781; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos. 457, 514, 515, 694, 704, 705, 706, 707, 708, 709, 711, 713, 715, 718, 719, 721, 722, 723, 724, 725, 726, 727, 730, 731, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 753, 755, 756, 757, 758, 759, 761, 762, 763, 765, 771, 772, 773 and 779; all concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 2449, 2452, 2477, 2478, 2487, 2488, 2489, 2492, 2493, 2497, 2498, 2501, 2502, 2503, 2506 and 2508 all substituted for Senate Bills on same subject and passed the Senate.

**CLYDE W. McCULLOUGH, JR.**  
Chief Clerk.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with **Rule No. 48**, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1242, 2471, 2499, 2512, 2513, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2525, 2527 and 2469.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR**

**MR. SPEAKER:** The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills and/or resolutions on the Consent Calendar for Tuesday, April 26, 1988: House Joint Resolution No. 688; House Bills Nos. 1242, 2469, 2471, 2499, 2512, 2513, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2525, and 2527.

**PHILLIPS, Chairman.**

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 94

**MONDAY, APRIL 25 -- EIGHTY-SEVENTH LEGISLATIVE DAY**

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

On motion of Rep. Naifeh, the House adjourned until 1:00 P.M., Tuesday, April 26, 1988.